

REMARKS/ARGUMENTS

Claims 1 - 3 are pending in the application. The Examiner has offered rejections against Claims 1-3. The rejections are respectfully traversed.

The Examiner has rejected Claims 1 and 2, under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,627,80 to Stephens in view of newly cited U.S. Patent No. 3,685,385 to Rendell. The Applicant respectfully traverses the rejections. The Examiner has presented Stephens as disclosing "a brace bar comprising a narrow portion having a cross-section with a profile of which at least one side extends vertically upward to a position of a predetermined height, thus forming a lower base part (the base portion shown in Fig. 6B), and is bent inward at said position toward a center of the brace bar, and, thereafter, extends upward while being inclined at a predetermined inclination angle to form an upper pad (Fig. 6B)." The Examiner notes that Stephens does not disclose the tapered upper end. Instead the Examiner offers the combination with Rendell as disclosing "the use of a brace bar with a tapered upper end (Column 3, lines 15-25)", and "a brace that is bent inward at said position toward a center of the brace bar."

The Applicant respectfully traverses the rejections. As discussed in the previous response, Stephens teaches a musical brace "having reduced mass and more flexibility [wherein] [a] standard brace having scalloped ends may be modified . . . by introducing apertures of circular or other shape crosswise through the brace, thus forming voids therealong thereby reducing weight and reducing stiffness . . . [or] an I-beam . . . [or] a curvilinear brace having a flat base, concave side and a rounded apex having circular apertures along the length of the thin center portion." (See Abstract; Figs. 4A, 5A, 5C, 6A, 6B.) Stephens does not teach that after the narrow portion is "bent inward at said position toward a center of the brace bar" that it

"thereafter extends upward while being inclined at a predetermined inclination angle to form a tapered upper part." Instead the Stephens patent, at best, and as set forth in the Fig. 6B as referenced by the Examiner, depicts a brace that is bent inward at the position passing the base part and is then shaped with concave curvature ending in a rounded upper section. Therefore, as previously asserted, the Stephens reference does not depict nor suggest an *inclination angle* nor a *tapered upper part* as set forth in Claim 1 of the present application, and therefore the remaining dependent claims 2 and 3.

The Examiner's asserted combination with Rendell does not cure the deficiency of Stephens in disclosing the present invention. Rendell shows what is now and was then known in the art (according to Rendell) of a "conventional" tapering of the end of a brace. As described in the Examiner's cited section in Column 3, lines 15-25, this is only the end section. Further, as shown in cited Figure 2, the drawing only discloses a tapering of the ends -- not as claimed in independent claim 1 of the present invention (and thus as an element of dependent claims 2 and 3) that "the *narrow portion* having a cross-section with a profile of which at least one side extends vertically upward to a position of a predetermined height, thus forming a lower base part, and *is bent inward at said position toward a center of the brace bar*, and, thereafter, *extends upward while being inclined at a predetermined inclination angle to form a tapered upper part*." Therefore, the combination of Stephens and Rendell cannot provide "each and every element" of the claims. Further, the Examiner has not provided any teaching or suggestion to motivate the combination of the two references. As a result, the combination would be improper. As a result, the claims of the present invention are not obvious and the Applicant respectfully requests that the Examiner withdraw her rejections and place the application in line

for allowance.

The Applicant has attempted to be fully responsive to the office action, and believes the claims should now be in line for allowance. However, if the Examiner feels that it would be helpful, she is welcomed to telephone the undersigned for discussion of the application.

Respectfully submitted,



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